

PATENT

Attorney's Docket No. D-242-CIP

COMBINED DECLARATION AND POWER OF ATTORNEY

**(ORIGINAL DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION OR CIP)**

As a below-named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)

- original
- design

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check any of next two items and check appropriate one of last three items.

- national stage of PCT
- supplemental

NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

- divisional
- continuation
- continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

Recombinant DNA-Derived Bordetella Toxin Subunit Analogs

SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b) or (c))

- (a) is attached hereto.
- (b) was filed on September 4, 1987 as Serial No. 094,307
or Express Mail No., as Serial No. not yet known _____
and was amended on _____ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

(Declaration and Power of Attorney [1-1]—page 1 of 4)

(c) was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____ (if any).

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

In compliance with this duty there is attached an information disclosure statement 37 CFR 1.97.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d) no such applications have been filed.

(e) such applications have been filed as follows

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NUMBER	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Julia E. Abers, Registration No. 31,222
Thomas E. Byrne, Registration No. 32,205
Steven M. Odre, Registration No. 29,094
Pamela A. Simonton, Registration No. 31,060
Robert D. Weist, Registration No. 22,378

SEND CORRESPONDENCE TO

Steven M. Odre
Patent Department
Amgen Inc.
1900 Oak Terrace Lane
Thousand Oaks, CA 91320

DIRECT TELEPHONE CALLS TO: (Name and telephone number)

Steven M. Odre
(805) 499-5725 .

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of sole or first inventor

Walter Neal Burnette, III

Inventor's signature

Date _____ Country of Citizenship _____ U.S.A

Residence 1724 Campbell Ave., Thousand Oaks, CA 91360

Post Office Address _____ CA

Full name of second joint inventor, if any _____

Inventor's signature _____

Date _____ Country of Citizenship _____

Residence _____

Post Office Address _____

**CHECK PROPER BOX(ES) IF ANY OF THE FOLLOWING ADDED PAGE(S) FORM A
PART OF THIS DECLARATION**

- Signature for third and subsequent joint inventors. *Number of pages added* _____
 - Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. *Number of pages added* _____
 - Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. *Number of pages added* _____
- • •
- Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.
 Number of pages added 2

If no further pages form a part of this Declaration then end this Declaration with this page and check the following item

- This declaration ends with this page

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY
FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION**

(complete this part only if this is a divisional, continuation or CIP application)

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:				
U.S. APPLICATIONS			Status (Check one)	
U.S. APPLICATIONS	U.S. FILING DATE		Patented	Pending
1. 094,307	September 4, 1987		X	
2. _____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLI-CATION NO.	PCT FILING DATE	U.S. SERIAL NOS. ASSIGNED (if any)		
4. _____	_____	_____	_____	_____
5. _____	_____	_____	_____	_____
6. _____	_____	_____	_____	_____

(Added Page to Combined Declaration and Power of Attorney for Divisional Continuation or CIP Application [1-2.1]—page 1 of 2)

35 USC 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED U.S./PCT APPLICATIONS

ABOVE APPLICATION NO.	DETAILS OF FOREIGN APPLICATION FROM WHICH PRIORITY CLAIMED UNDER 35 USC 119			
	Country	Application No.	Date of filing (day, month, year)	Date of issue (day, month, year)
1.				
2.				
3.				
4.				
5.				
6.				

(Added Page to Combined Declaration and Power of Attorney for Divisional Continuation or
CIP Application [1-2.1]—page 2 of 2)

08/448727

Associate Power of AttyPATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Walter Neal Burnette III

Serial No.: Not Assigned

Group Art Unit No.: 1805

Filed: Concurrently herewith

Examiner: Gary L. Brown

For: RECOMBINANT DNA-DERIVED BORDETELLA TOXIN SUBUNIT ANALOGS

Docket No.: D-242-CIP-C-D

Divisional of Serial No. 08/034, 460, filed March 18, 1993

ASSOCIATE POWER OF ATTORNEY

Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

Please recognize Richard J. Mazza, Registration No. 27,657, as associate attorney in this application, with full power to prosecute the application, to make alterations and amendments therein, and to transact such other business in the Office in connection therewith as may be necessary.

Respectfully submitted,

Steven M. Odre
Steven M. Odre
Attorney for Applicant
Registration No.: 29,094
Phone: (805) 447-4006
Date: May 24, 1995

Please send all future correspondence to:

U.S. Patent Operations/RJM
M/S 10-1-B
AMGEN INC.
Amgen Center
1840 Dehavilland Drive
Thousand Oaks, California 91320-1789

*Express Mail® mail labeling number:	TB 175 927 136 US	Date of Deposit:	May 24 1995
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D. C. 20231			
Richard J. Mazza		<i>Richard J. Mazza</i>	

Associate Power of AttyPATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Walter Neal Burnett
 Serial No.: Not Assigned
 Filed: Concurrently herewith
 For: RECOMBINANT DNA-DERIVED BORDETELLA TOXIN SUBUNIT ANALOGS
 Docket No.: D-242-CIP-C-D

Divisional of Serial No. 08/034, 460, filed March 18, 1993

ASSOCIATE POWER OF ATTORNEY

Commissioner of Patents and Trademarks
 Washington, D. C. 20231

Sir:

Please recognize Ron K. Levy, Registration No. 31,539, as associate attorney in this application, with full power to prosecute the application, to make alterations and amendments therein, and to transact such other business in the Office in connection therewith as may be necessary.

Respectfully submitted,

Steven M. Odre
 Attorney for Applicant
 Registration No.: 29,094
 Phone: (805) 447-4006
 Date: May 24, 1995

Please send all future correspondence to:

U.S. Patent Operations/RJM
 M/S 10-1-B
 AMGEN INC.
 Amgen Center
 1840 Dehavilland Drive
 Thousand Oaks, California 91320-1789

"Express Mail" mail labeling number:	TB 175 927 136 US	Date of Deposit:	May 24 1995
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RICHARD J. MAZZA		<i>Richard J. Mazza</i>	